

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FRAY LYNCH,	:	
Plaintiff,	:	
v.	:	Civil Action No. 06-351-JJF
CITY OF WILMINGTON,	:	
Defendant.	:	

**MOTION TO WITHDRAW
AS COUNSEL FOR PLAINTIFF**

The undersigned hereby moves this Honorable Court, pursuant to Rule 83.7 of the Local Rules of the U.S. District Court for the District of Delaware, to allow him to withdraw as counsel of record for the Plaintiff in this action as above captioned. In support of this motion, counsel represents the following:

1. Counsel for Plaintiff notified local counsel that he would be securing new local counsel in a letter dated October 24, 2006. (See Exhibit A)
2. Since that date, local counsel has heard nothing from Plaintiff's counsel. (See Exhibits B, C, & D)
3. New Local counsel for Plaintiff's has not been retained and current local counsel desires to withdraw from this action.

WHEREFORE counsel prays that the relief requested above be granted.

Dated: July 20, 2007

A handwritten signature in black ink, appearing to read "Kester I.H. Crosse", written over a horizontal line.

KESTER I.H. CROSSE, ESQUIRE

I.D. Number: 638

Williams & Crosse

1214 King Street

Wilmington, Delaware 19801

(302) 652-3141 / (302) 658-3488

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FRAY LYNCH,	:	
Plaintiff,	:	
v.	:	Civil Action No. 06-351-JJF
CITY OF WILMINGTON,	:	
Defendant.	:	

ORDER

At Wilmington this _____ day of _____, 2007,

IT IS ORDERED that Kester I.H. Crosse, Esquire, Williams & Crosse, Delaware Counsel No. 638 may enter his withdrawal as local counsel for the Plaintiff in the above-captioned matter effective this date.

JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I hereby certify that on July 20th, 2007, I have sent by U.S. certified Mail, the foregoing documents to the following:

Robert T. Vance, Jr., Esquire
Law Offices of Robert T. Vance, Jr.
100 South Broad Street
Suite 1530
Philadelphia, PA 19110

Alex J. Mili, Jr., Esquire
Senior Assistant City Solicitor
Louis L. Redding City/County Building
800 N. French Street, 9th Floor
Wilmington, DE 19801

Dated: July 20, 2007



KESTER I.H. CROSSE, ESQUIRE
I.D. Number: 638
Williams & Crosse
1214 King Street
Wilmington, Delaware
(302)652-3141 / (302) 658-3488

EXHIBIT A

RTV

Robert T. Vance, Jr.*
*Robert H. Bemby, III**
Angelo L. Cameron*
A. Michelle Campbell*
Sheilah D. Vance*

* Of Counsel
* Also admitted in New Jersey
* Also admitted in D.C.

LAW OFFICES OF ROBERT T. VANCE, JR.
100 South Broad Street, Suite 1530
Philadelphia, PA 19110
215.557.9550 F 215.557.9552
vancelaw@aol.com

October 24, 2006

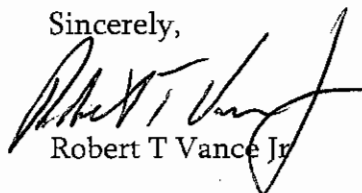
Kester I. H. Crosse
Williams & Crosse
1214 King Street
Wilmington, DE 19801

Re: *Fray M. Lynch v. City of Wilmington*

Dear Mr. Krosse:

Please be advised that I am locating new local counsel in the above-referenced case, which you can represent to the Court in your motion to withdraw. Kindly call or email me if you have any questions.

Sincerely,



Robert T Vance Jr

By fax and regular mail

EXHIBIT B

WILLIAMS & CROSSE
ATTORNEYS AT LAW
1214 KING STREET
WILMINGTON, DELAWARE 19801

LEONARD L. WILLIAMS - RETIRED
KESTER J. H. CROSSE

June 20, 2006

TELEPHONE NUMBERS:
(302) 652-3141
(302) 658-3488
FAX (302) 652-3034

Robert T. Vance, Jr., Esquire
Law offices of Robert T. Vance, Jr.
100 South Broad Street, Suite 1530
Philadelphia, Pa. 19110

Re: Fray M. Lynch vs. City of Wilmington
Case No. 06-351

Dear Mr. Vance:

Please find enclosed clocked copy of the complaint and related documents.

I have agreed to serve as local counsel in this matter, as you were reaching a statute problem in this case. Please understand that I work as a Public Defender here in the State of Delaware and I am in Court many days.


In addition, I do not appear in Federal Court as much as you do perhaps. Because of this, it will primarily be your responsibility to make sure that all filings are received by me in enough time to file them at the Federal Court or that you take advantage of the E-filing situation.

We also have not discussed fees or any compensation to me.

I suggest that you drop me a line or call me so that we can discuss this matter or that you begin seeking another local counsel who will be more available in this case.

Please let me hear from you.

Very truly yours,



Kester J. H. Crosse

KIHC/kj

EXHIBIT C

WILLIAMS & CROSSE
ATTORNEYS AT LAW
1214 KING STREET
WILMINGTON, DELAWARE 19801

LEONARD L. WILLIAMS - RETIRED
KESTER L.H. CROSSE

October 5, 2006

TELEPHONE NUMBERS:
(302) 652-3141
(302) 658-3488
FAX (302) 652-3034

Robert T. Vance, Jr., Esquire
Law Offices of Robert T. Vance, Jr.
100 South Broad Street
Suite 1530
Philadelphia, Pa. 19110

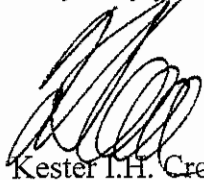
Re: Fray M. Lynch vs. City of Wilmington
Case No. 06-351

Dear Mr. Vance:

I wrote you on June 20, 2006 asking that you get in touch with me so that we could discuss our arrangements for filing of papers and fees in this case. You have not given me the courtesy of a reply.

I enclose a copy of documents (Defendant City of Wilmington's Motion for Leave to File a Memorandum of Points and Authorities in Lieu of an Opening Brief and Defendant's Memorandum of Points and Authorities in Support of Its Motion for Joinder of an Indispensable Party Under Civil Rule 19, or Alternative Motion to Dismiss Pursuant to Civil Rule 12(b) (7)), that was filed by the opposing side in this matter. If I do not hear from you within the next five (5) days, I will be filing a Motion to withdraw as local counsel in this matter.

Very truly yours,



Kester L.H. Crosse

KIHC/kj
Enclosure

EXHIBIT D

WILLIAMS & CROSSE
ATTORNEYS AT LAW
1214 KING STREET
WILMINGTON, DELAWARE 19801

LEONARD L. WILLIAMS - RETIRED
KESTER I. H. CROSSE

July 10, 2007

TELEPHONE NUMBERS:
(302) 652-3141
(302) 658-3488
FAX (302) 652-3034

By Certified Mail

Robert T. Vance, Jr. Esquire
Law Offices of Robert T. Vance, Jr.
100 South Broad Street, Suite 1530
Philadelphia, PA 19110

Re: **Fray M. Lynch v. City of Wilmington**
Case No. 06-351
United States District Court for the District of Delaware

Dear Mr. Vance:

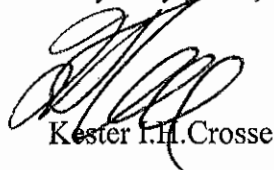
Per your letter dated October 24, 2006, you indicated that you were in the process of locating new local counsel in the above-mentioned matter.

I am also in receipt of the enclosed Order dated November 27, 2006 signed by Judge Farnan allowing you 60 days from that date to designate Plaintiffs' new local counsel and I have not received any documentation from you or the Court of that occurring.

I will be filing the Motion to Withdraw as Counsel for Plaintiff with the Court by the end of this week and I suggest that you take the necessary steps to secure new counsel for the case.

Enclosed is a copy of Defendant's Memorandum Order signed by Judge Farran, dated June 8, 2007.

Very truly yours,



Kester I.H. Crosse

KIHC/ihb
Enclosures

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

PHILADELPHIA PA 19110

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Return Receipt Fee (Endorsement Required)		\$2.15
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.38

0501
 JUL 12 2007
 RODNEY STA WILMINGTON DE 19801
 USPS
 07/11/2007

Sent To
Robert T. Vance, Jr., Esquire
 Street, Apt. No.,
 or PO Box No. **100 S. Broad St., Ste. 1530**
 City, State, ZIP+4 **Philadelphia, PA 19110**

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Desiree Torres</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Desiree Torres</i></p> <p>C. Date of Delivery <i>JUL 12 2007</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Robert T. Vance, Jr. Esquire Law Offices of Robert T. Vance, Jr. 100 South Broad Street, Ste. 1530 Philadelphia, PA 19110</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540